

**In the United States District Court for the
Southern District of Ohio**

LEE E. MOORE,	:
Petitioner	: Case No. C-1-00-023
v.	: Judge Susan Dlott
BETTY MITCHELL, Warden	: Magistrate Judge Merz
Respondent	: <i>Death Penalty Case</i>

NOTICE OF APPEAL

Notice is hereby given that Betty Mitchell, Warden of Mansfield Correctional Institution, hereby appeals to the United States Court of Appeals for the Sixth Circuit from the final judgment entered in this action on January 18, 2008, conditionally granting petitioner's Supplemental Petition for Writ of Habeas Corpus.

Respectfully submitted,

**MARC DANN
Ohio Attorney General**

s/ *Charles L. Wille*

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COUNSEL FOR RESPONDENT

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Notice of Appeal* was sent first class mail to the United States Sixth Circuit Court of Appeals and to Counsel for Petitioner via the Court's Electronic Filing System and first-class U.S. Mail, postage prepaid, this 11th day of February, 2008, to:

s/ *Charles L. Wille*

CHARLES L. WILLE

Principal Assistant Attorney General